

ORDINANCE NO. 2016.xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE ZONING AND DEVELOPMENT CODE, PART 3 – LAND USE, SECTIONS 3-202, 3-423, PERTAINING TO RESALE ITEMS AND SEPARATION USE REQUIREMENTS.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

SECTION 1. That Section 3-202 of the Zoning and Development Code, pertaining to a portion of Table 3-202A “Resale Items”, is hereby amended to read as follows:

Table 3-202A – Permitted Land Uses (R/O, CSS, CC, PCC, RCC)						
Uses	Status of Use District					
	R/O	CSS	CC	PCC-1	PCC-2	RCC
Resale Items	N	U	U	U	U	U
Antiques	N	U	U	U	U	U
Pawn Shops <u>(SEE SECTION 3-423)</u>	N	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>
Second Hand Stores	N	U	U	U	U	U
<u>GOLD-BUYING STORES (SEE SECTION 3-423)</u>	<u>N</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>

SECTION 2. That Section 3-202 of the Zoning and Development Code, pertaining to a portion of Table 3-202B “Resale Items”, is hereby amended to read as follows:

Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)					
Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
Resale Items	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>
Antiques	U	U	U	U	U
Pawn Shops <u>(SEE SECTION 3-423)</u>	N	N	N	N	N
Second Hand Stores	N	N	N	N	U

Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)

Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
<u>GOLD-BUYING STORES (SEE SECTION 3-423)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>

SECTION 3. That Section 3-423 of the Zoning and Development Code, adding subsection D. and E. to Use Separation Requirements, is hereby amended to read as follows:

D. PAWN SHOPS & GOLD-BUYING STORES.

1. PAWN SHOPS OR GOLD-BUYING STORES SHALL NOT BE LOCATED ON A LOT WITHIN 1,320 FEET, MEASURED BY A STRAIGHT LINE IN ANY DIRECTION, FROM THE LOT LINE OF ANOTHER PAWN SHOP OR GOLD-BUYING STORE.
2. PAWN SHOPS OR GOLD-BUYING STORES SHALL NOT BE LOCATED ON A LOT WITHIN FIVE HUNDRED (500) FEET, MEASURED BY A STRAIGHT LINE IN ANY DIRECTION, FROM THE LOT LINE OF A RESIDENTIAL DISTRICT, CHILD CARE CENTER, OR FROM THE LOT LINE OF A CHARTER SCHOOL, PRIVATE SCHOOL, OR PUBLIC SCHOOL, WHICH PROVIDES ELEMENTARY OR SECONDARY EDUCATION. INSTRUCTIONAL OR VOCATIONAL SCHOOLS ARE EXCLUDED FROM THE SEPARATION REQUIREMENT.

E. NON-TRADITIONAL BUSINESSES.

1. NON-TRADITIONAL BUSINESSES SHALL BE DEFINED HEREIN AS NON-CHARTERED FINANCIAL INSTITUTIONS, AUTO TITLE LOANS, BAIL BONDS, PAWN SHOPS AND GOLD-BUYING STORES. A NON-TRADITIONAL BUSINESS SHALL NOT BE LOCATED ON A LOT WITHIN 1,320 FEET, MEASURED BY A STRAIGHT LINE IN ANY DIRECTION, FROM THE LOT LINE OF ANOTHER NON-TRADITIONAL BUSINESS.

SECTION 4. That Section 7-101 of the Zoning and Development Code, adding new definitions, is hereby amended to read as follows:

[RESERVED IF NEEDED]

Definition for Pawn Shop

Definition for Gold-Buying Stores

SECTION 5. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

Draft Review: 08-17-2016

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, this ____ day of _____, 2016.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney